

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:16-CR-00316-RJC-DSC

USA

v.

CEDRIC CLARK

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ORDER

**THIS MATTER** comes before the Court upon the defendant's motion for copies of documents related to his criminal case. (Doc. No. 158).

The defendant seeks the materials at government expense in anticipation of filing a collateral attack on his conviction and sentence pursuant to 28 U.S.C. § 2255. (Id. at 1).

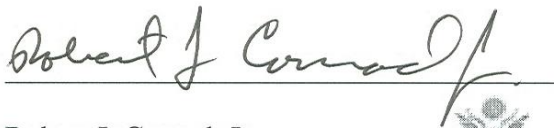
Although, a court may order a clerk of court to provide documents to a petitioner who has been granted permission to proceed in forma pauperis on an application for a writ of habeas corpus, 28 U.S.C. § 2250, a prisoner is not entitled to free transcripts and documents without a showing of need, merely to comb the record in hopes of discovering some flaw, United States v. Glass, 317 F.2d 200, 202 (4th Cir. 1963), particularly when no appeal is pending and a § 2255 motion has not been filed, In re O'Kane, 91 F.3d 132, at \*1 (4th Cir. June 27, 1996) (unpublished). Here, the defendant has not filed an appeal or § 2255 motion and has not shown a particularized need for transcripts and documents to decide a pending issue. Therefore, the defendant's motion will be denied.

He may request, at his own expense, the reproduction of the documents from the Clerk of Court at the rate of \$.50 per page, paid in advance. 28 U.S.C. § 1914. According to the practice in this District, the defendant must submit the list of requested documents in writing to the

Clerk's Office, Charles R. Jonas Federal Building, Room 210, 401 West Trade Street, Charlotte, North Carolina, 28202, and pre-pay by cash, check, or money order payable to Clerk, United States District Court.

**IT IS, THEREFORE, ORDERED** that defendant's motion for documents, (Doc. No. 158), is **DENIED**.

Signed: November 15, 2017

A handwritten signature in cursive script, reading "Robert J. Conrad, Jr.", written over a horizontal line.

Robert J. Conrad, Jr.  
United States District Judge

